

DEVIN DERHAM-BURK #104353
CHAPTER 13 STANDING TRUSTEE
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Trustee for Debtor(s)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA - DIVISION 5

Devin Derham-Burk, Trustee in the above matter, objects to the Confirmation of this 100% Plan for the following reasons:

1. The Trustee is unable to analyze the debtor's petition in that the debtor has failed to file Schedules A, B, C, D, E, F, G, H, I and J, a Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income, and a Statement of Financial Affairs.

2. Pursuant to the “Guidelines Regarding Residential Loan Modifications In Chapter 13 Plan for the San Jose and San Francisco Divisions,” the debtor is required to file and serve a declaration on the Chapter 13 Trustee providing certain information about loan modifications for first mortgage loans secured by a debtors’ residence. The deadline for filing the declaration is the Section 341 meeting. As of this date, no declaration has been filed and it appears from the plan that the debtor is proposing to modify a first mortgage loan on a residence. The Trustee requests that the debtor provide her with the declaration required by the guidelines.
3. The Trustee is in receipt of a proof of claim filed by the Internal Revenue Service stating that the debtor owes priority tax debt in the amount of \$30,000.00. The debtor must file a Schedule E – Creditors Holding Unsecured Priority Claims.
4. The Plan is in violation of 11 U.S.C. Section 1322(d) in that the term exceeds sixty months. As proposed, the term is approximately 162 months.

Dated: April 21, 2014

/S/ Devin Derham-Burk

Chapter 13 Trustee

CERTIFICATE OF SERVICE BY MAIL

I declare that I am over the age of 18 years, not a party to the within cause; my business address is 983 University Ave. C-100, Los Gatos, California 95032. I served a copy of the within Trustee's Objection to Confirmation by placing same in an envelope in the U.S. Mail at Los Gatos, California on April 21, 2014.

Said envelopes were addressed as follows:

Louis Rocha
1008 Lewis Street
Salinas, CA 93905

Law Offices of Christopher Alliotts, Inc.
60 West Alisal Street, Suite 10
Salinas, CA 93901

In addition to any paper copies served by U.S. Mail, registered ECF participants, including parties who have requested Special Notice in this case, will receive an electronic copy of the foregoing document when it has been filed with the Court.

/S/ Lesley M. Hansen

Office of Devin Derham-Burk, Trustee